

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|----------------|---|---|
| MALCOLM GANTZ, |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 14-218J |
| |) | Judge Kim R. Gibson/ |
| AUGRA, |) | Chief Magistrate Judge Maureen P. Kelly |
| Defendant. |) | |

ORDER ADOPTING REPORT AND RECOMMENDATION

AND NOW, this 4th day of January, 2016, after Plaintiff Malcolm Gantz filed a complaint in the above-captioned matter, and after a Motion to Dismiss / Motion for Summary Judgement was filed by Defendant Augra, and after a Report and Recommendation was filed by Chief United States Magistrate Judge Maureen P. Kelly giving the parties until December 24, 2015 to file written objections thereto, and no Objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss / Motion for Summary Judgment, ECF No. 44, is GRANTED. The Clerk of Court shall mark this CASE CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

By the Court:



Kim R. Gibson
United States District Judge

cc: Honorable Maureen P. Kelly
Chief United States Magistrate Judge

All Counsel of Record Via CM-ECF

Malcolm Gantz
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